UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

FLORETHIA CLEMONS,)	
)	
Plaintiff,)	
)	
V.)	No. 4:12-CV-1095-CEJ
)	
MYRTLE HILLIARD DAVIS)	
COMPREHENSIVE HEALTH)	
CENTERS, INC.,)	
)	
Defendant	j	

MEMORANDUM

On June 27, 2012, plaintiff was ordered to (1) show cause in writing why her Title VII claim should not be dismissed as time-barred; and (2) file an amended complaint setting forth the State in which she is a citizen, the State in which defendant is a citizen, and the sum or value of the matter in controversy in this action [Doc. #5]. The plaintiff was given a deadline of July 16, 2012, and she was advised that failure to comply would result in the dismissal of this action, without further notice to her.

Previously, the Court determined that the plaintiff's Title VII claim was filed beyond the 90-day limitation period set forth in 42 U.S.C. § 2000e-5(f)(1). Although she was given the opportunity to do so, plaintiff did not file a response setting forth reasons why her claim should not be dismissed as time-barred. Therefore, the Title VII claim will be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Plaintiff filed an amended complaint on July 5, 2005 in which she provides an Illinois address for herself and a Missouri address for the defendant. She states that she is seeking back pay, health insurance benefits, and compensation for mental

anguish. However, she does not allege facts that from which it could reasonably inferred that the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs. See 28 U.S.C. § 1332(a). Although specifically instructed to do so, plaintiff has not alleged facts that would support federal jurisdiction over her claim of employment discrimination based on the Missouri Human Rights Act (MHRA), Mo. Rev. Stat. § 213.010, et seq. Therefore, the plaintiff's MHRA claim will also be dismissed.

A separate Order of Dismissal will accompany this Memorandum.

Dated this 23rd day of July, 2012.

UNITED STATES DISTRICT JUDGE